

**AMENDMENT TO THE THOMAS AMENDMENT IN
THE NATURE OF A SUBSTITUTE FOR H.R. 4157
OFFERED BY M__.** _____

Page 20, after line 23, insert the following:

1 (C) NO PREEMPTION OF CERTAIN STATE
2 LAWS.—A State security and confidentiality law
3 shall not be preempted under paragraph (1) or
4 this section insofar as such law—

5 (i) provides greater protections, than
6 current Federal security and confiden-
7 tiality standards, for information relating
8 to mental health, substance abuse, rape,
9 incest or other domestic violence, family
10 planning, infection with the human im-
11 munodeficiency virus (HIV), sexually
12 transmitted diseases, screening for and
13 presence of genes or genetic markers, and
14 other sensitive areas as designated by the
15 Secretary; or

16 (ii) permits an individual to pursue
17 legal action against an entity that improper-
18 ly uses or discloses individually identifi-
19 able health information.